

<b>NEVADA DEPARTMENT OF CORRECTIONS</b>	<b>SERIES 500 CLASSIFICATION AND MANAGEMENT OF INMATES</b>	<b>SUPERSEDES: IB 93-37 (05/11/93)) AD 3-93 AR 507 (12/01/88)</b>
<b>ADMINISTRATIVE REGULATIONS MANUAL</b>	<b>ADMINISTRATIVE REGULATIONS 507 ADMINISTRATIVE SEGREGATION TEMP</b>	<b>EFFECTIVE DATE: 12/17/03</b>

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### PURPOSE

To provide written procedures for the placement, retention, and reintegration of inmates housed in administrative segregation.

### AUTHORITY

NRS 209.131

## **RESPONSIBILITY**

It is the responsibility of both Associate Wardens to ensure that proper procedures are followed in the placement, retention and release of inmates from administrative segregation.

It is the responsibility of Facility Managers to coordinate the completion of initial administrative segregation hearings with the Associate Warden of Programs of institutions to which the inmates have been transferred.

## **DEFINITIONS**

**ADMINISTRATIVE SEGREGATION** – A form of separation from the general population imposed by the classification committee, when the continued presence of the inmate in the general population or protective segregation would pose a serious threat to life, property, self, staff or other inmates, or to the security or orderly operation of the institution.

**CLASSIFICATION PLAN** – A plan to prepare inmates for release from administrative segregation and to direct them in appropriate programming.

**DEPARTMENT** – The Nevada Department of Corrections.

**INITIAL ADMINISTRATIVE SEGREGATION HEARING** – A classification hearing conducted by the Classification Committee to determine the appropriateness of an inmate's placement in administrative segregation.

**NEVADA CORRECTIONAL INFORMATION SYSTEM (NCIS)** – An integrated, microcomputer based information system used to manage the inmate population through the employment of applications related to count, supervision, sentence management, classification and casework, planning and statistical activities.

**PROTECTIVE SEGREGATION** – A form of separation from the general population for inmates requesting or requiring protection from other inmates for reason of health and safety.

**SUPERVISOR** – An employee of the Department that provides supervision and has first line supervisory authority, and are responsible for the performance and evaluation of subordinate employees. These employees are within the direct chain of supervision, scope and authority.

## **APPLICABILITY**

This regulation applies to all inmates within the Department.

## **PROCEDURES**

### **507.01 ADMINISTRATIVE SEGREGATION CLASSIFICATION**

1.1 Where segregation units exist, the supervision of inmates under administrative segregation will be governed by written procedure. **(3-4237)**

1.2 Inmates will be temporarily placed in administrative segregation, to protect the safety of the inmate, other persons, the institution or community, or to conduct investigations into violent misconduct or misconduct which threatens escape or a significant disruption of institutional operations.

1.3 Inmates will be retained in administrative segregation only after completion of formal classification procedures.

1.4 Administrative segregation is not to be used for the purpose of punishment.

1.5 Administrative segregation is to be used:

- For inmates seeking or being recommended for protective segregation only in those institutions where conventional protective segregation housing areas do not exist pending transfer to institutions with protective segregation areas.
- Where an inmate in protective segregation cannot be housed safely with other protective segregation inmates.

1.6 Inmates in administrative segregation may transition to and from disciplinary housing based upon sanctions imposed at disciplinary hearing.

1.7 Facility managers are authorized to place inmates in local jail facilities however, immediate arrangements for transfers to a secure facility will be made.

- The initial administrative segregation hearing will be held upon return to a Department's institution.

1.8 Administrative segregation units are not to be used as a substitute for mental health facilities.

1.9 The Assistant Director of Operations must approve institutions to double bunk in administrative segregation.

1.10 The Associated Warden of Programs/designee will determine appropriate placement in double cells.

## **507.02 PLACEMENT IN ADMINISTRATIVE SEGREGATION**

1.1 The Warden, Associate Warden, or shift supervisor can order immediate segregation when it is necessary to protect the inmate or others. The action is reviewed within seventy-two (72) hours by the appropriate authority. **(3-4238)**

1.2 Inmates placed in administrative segregation will be initially housed in a single cell whenever possible.

1.3 Inmates placed in administrative segregation temporarily will receive an initial administrative segregation hearing within three (3) working days of that temporary placement.

1.3.1 This three (3) day period may be extended by the Warden due to exceptional circumstances.

1.3.2 Any delay in the hearing will be communicated to the inmate in writing within a three (3) day period subsequent to the temporary placement in administrative segregation.

1.4 Inmates will receive at least forty-eight (48) hours notice prior to the conduct of an initial administrative segregation hearing. The inmate may waive this requirement. **(3-4289)**

1.4.1 Notice of this initial placement hearing will be provided on Form DOC-2003.

1.4.2 This notification will document the reasons for the possible classification to administrative segregation.

1.5 The classification committee for the initial administrative segregation hearing, or any subsequent regular reclassification of an administrative segregation inmate will consist of at least three (3) employees.

1.5.1 No person with direct involvement in the incident or circumstances giving rise to the administrative segregation circumstances will be on this committee.

1.5.2 The inmate will be present at all times during the classification meeting except for the decision deliberations, discussion of information from anonymous sources, or if they become disruptive.

1.5.3 The committee may require the attendance of any staff or inmates with information bearing on the decision to place or retain the inmate in administrative segregation. An inmate subject to this classification may consult with, or be represented by an inmate counsel, only in those instances where the classification committee determines that inmate's psychological or emotional state is so impaired as to make him incapable of understanding, or supporting his participation in the classification hearing.

1.5.4 The committee may temporarily adjourn to obtain, clarify, or investigate information bearing on the decision.

1.5.5 Confidential information may be used in the decision to place and retain an inmate in administrative segregation with the same provisions regarding the use of confidential information as used in the Code of Penal Discipline applied to this process.

1.5.5.1 Two-Prong Test for Determining Reliability and Necessity. The record will contain some factual information from which the committee can reasonably conclude that the confidential information is reliable. The reliability of the

informant's information can be established by any of the following methods.

- The oath of the investigating officer appearing before the committee as to the truth of his report that contains confidential information.
- Corroborating testimony.
- A statement on the record by the chairman of the committee that he had firsthand knowledge of the sources of information and considered them reliable based on the informant's past record.
- In camera review of the documentation from which credibility was assessed.

1.5.5.2 The record of classification hearing will contain a corrections officials affirmative statement that safety considerations prevent the disclosure of the informant's name to the accused.

1.5.5.3 In order to conduct the test identified in items above, the identity of the confidential source will be made known to the members of the committee, out of the presence of the accused inmate.

- The Warden or designee may, however, withhold the identity from the committee.
- If the committee is not to be informed of the identity of the source, the record of the classification hearing will contain an affirmative statement from the Warden or designee that the test was satisfied.
- The statement will minimally reflect that the Warden or designee considered the source of the information, judged the source to be reliable and allowed that the information may be used by the committee. The statement will also reflect that safety considerations prevent the disclosure of the informant's identity to the committee.

1.5.6 The committee will reach a decision based upon information presented at the meeting and provide the inmate with a written decision on Form DOC-2020 giving the reason, and a summary of the decision.

1.5.7 The decision will be based upon credible information.

1.5.8 The committee is to document the initial administrative segregation hearing in the manner of a regular reclassification hearing, to include the completion of an objective classification instrument in the NCIS.

1.5.9 The classification committee should review inmates in administrative segregation every seven days for the first two months and every thirty days thereafter. **(3-4241)**

1.5.10 Inmates may request a classification hearing prior to the next regular review, if they can present a change in a case factor that would bear on the decision to retain the inmate in administrative segregation.

1.5.11 Inmates who refuse to appear for classification will have their cases reviewed based on the committee's review of the inmate's record, and any information provided by persons appearing before the committee. The inmates absence will be documented in the record of the hearing.

1.5.12 The Classification plan will specify criteria and procedures for determining any change in an inmate's program status: the plan includes at least one level of appeal through the inmate grievance process as outlined in the Department's Administrative Regulation 740. **(3-4288)**

### **507.03 REINTEGRATION**

1.1 Inmates will be transitioned into disciplinary housing, as soon as those disciplinary hearings are completed.

- If an inmate is found not guilty or the charges dismissed, a special classification hearing will be scheduled to determine the inmate's status.

1.2 Inmates placed in administrative segregation, for transfer to protective segregation will be removed from administrative segregation once they are placed into a protective segregation-housing unit.

1.2.1 Every inmate who is otherwise released from administrative segregation will be informed that his or her release and retention in general population or conventional protective segregation is conditional.

1.2.2 The committee that recommends the removal of an inmate from administrative segregation will prescribe an individualized program for the inmate that includes, as appropriate, requirements related to: **(3-4242)**

- Program participation;
- Disciplinary avoidance;
- Narcotics testing;
- Mental health treatment compliance; and
- Associations.

1.2.3 Inmates may remain in administrative segregation for extended periods of time.

1.3 An Associate Warden/designee will review and determine when retention in administrative segregation is no longer necessary.

## 507.04 AMINISTRATIVE SEGREGATION OPERATIONS

1.1 Non-disciplinary restrictions of the rights, privileges, and amenities available to persons in administrative segregation may be imposed when such restrictions are necessary to prevent the destruction of property, maintenance of health and/or safety of any person, or otherwise to maintain the security of the institution. Such restrictions will be imposed on the inmate on the basis of substantial information justifying such restrictions.

- Unless the immediate restriction of a particular item is necessary, the Associate Warden of Operations/designee will approve restrictions in advance.
- Emergency restrictions will be reviewed and approved by the same official as soon as it is reasonably possible following the imposition of the restriction.
- A written record will be maintained on all restrictions and the reasons therefore.
- Restrictions will be maintained no longer than it is necessary. The segregation unit log will state the continuing justification of the unit supervisor's approval for the continuation of such restrictions at least every other day.
- The Associate Warden of Operations will review restrictions imposed on individuals at least every thirty (30) days.
- Any inmate for whom a significant restriction of basic cell furnishings, personal hygiene implements (except razors), food, bedding, or standard institutional issue of clothing is imposed will be referred to the psychologist within twenty four (24) hours of the Associate Warden of Operations approval of such restriction to determine the medical and/or mental health effects of such restriction on the inmate.
- The institution's Medical or Mental Health staff will review this restriction at least twice weekly.
- Inmates in administrative segregation will have access to program and services that include, but are not limited to, the following: educational services, commissary services, library services, social services, counseling services, religious guidance, and recreational programs. **(3-4261)**

1.2. Inmates in administrative segregation will be permitted to possess standard prison issued clothing, unless security of the administrative segregation unit dictates otherwise.

1.3 Inmates in administrative segregation status will be fed the same meal and ration as provided for other inmates in the general population. If necessary, substitutions may be made by the Associate Warden of Operations.

1.4. Administrative segregation inmates will have the same correspondence privileges as general population inmates.

1.5. Administrative segregation inmates will be allowed contact visits, unless security of the institution dictates otherwise. The frequency of such visits may be determined by the Warden to allow for the equitable visiting of all inmates assigned to the institution, given the operational resources available for that activity.

1.6 All inmates will be provided the means to keep themselves clean and well groomed.

1.7 Administrative segregation inmates will be allowed a minimum of seven (7) hours per week outdoor exercise, absent inclement weather, or staff shortage.

1.8 Inmates in administrative segregation will be allowed the same canteen purchase amount as general population inmates. However, certain items may be exempt from purchase for security reasons.

1.9 Personal phone calls are allowed, but the number of calls per week/month may be limited for those inmates in administrative segregation. Each institution will have procedures regarding phone privileges for inmates in administrative and protective segregation. **(3-4259)**

1.10 To the extent possible, consistent with security, inmates in administrative segregation will be allowed to participate in institutional programs. Inmates classified to administrative segregation may be denied or removed from programs, jobs, activities, including hobby craft, canteen privileges, and activities. Inmates may be afforded the opportunity to work within the administrative segregation unit consistent with their status.

1.11 The Associate Warden of Operations is to ensure that law clerks, or law library staff visit the administrative segregation unit at least 4 times per week.

1.12 Law clerks will be allowed to consult with administrative segregation inmates in the security setting defined by the Associate Warden of Operations. Where library staff are used in place of law clerks, the law library staff are to transmit information related to legal issues, as well as requests for materials, to the law library clerks.

1.13 Law clerks, or law library staff will be allowed to provide administrative segregation inmates with legal materials and books.

1.14 Direct access to the Law Library by administrative segregation inmates is not required.

1.15 The Associate Warden of Programs will assign a caseworker to the administrative segregation housing unit to be available to provide assistance, direction, or information to administrative segregation inmates.

1.16 When an inmate in administrative segregation complain of or exhibits an apparent dangerous medical/dental or psychological problem at times other than the medical staff member's visit,



the officers in charge of the administrative segregation unit will be notified and will immediately notify the medical staff.

1.16.1 Such notifications and action will be documented in the unit log.

1.16.2 Routine medical complaints by inmates will be made to medical staff when those staff persons make their regular, daily tours of the administrative segregation unit.

1.17 A qualified clinical psychologist or psychiatrist will interview in person and complete a meaningful evaluation on the status of each person classified to administrative segregation within thirty (30) days of assignment to that unit.

1.17.1 The Medical Director will define in writing what constitutes a meaningful evaluation.

1.17.2 The evaluation will be completed for the inmates every ninety (90) days.

1.18 Visitation by religious personnel to inmates assigned to administrative segregation will be encouraged and allowed per institutional procedures.

1.19 A systematic record system will be maintained on all inmates assigned to the administrative segregation unit. A general activity log will be maintained for inmates and activities within such areas. In addition, a log will be maintained for all personnel entering for inspection and treatment of each inmate. **(3-4238)**

1.20 The minimum space requirements for outdoor and covered/enclosed exercise areas for segregation units are as follows:

- Group yard modules - 15 square feet per inmate expected to use the space at one time, with a minimum ceiling height of 18 feet if covered but not less than 500 square feet of unencumbered space.
- Individual yard modules- 180 square feet of unencumbered space with a minimum ceiling height of 12 feet, if covered. **(3-4148)**

## **REFERENCES**

ACA Standards, 3-4148, 3-4237, 3-4238, 3-4241, 3-4242, 3-4259, 3-4261, 3-4288, and 3-4289

## **ATTACHMENTS**

DOC- 1549, Segregation Informative

DOC- 2003, Administrative Segregation Notice of Classification Hearing

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DOC- 2020, Administrative Segregation Classification Results Notice

\_\_\_\_\_  
Jackie Crawford, Director

\_\_\_\_\_  
Date

**CONFIDENTIAL**              XX  
                              Yes        No

**THIS PROCEDURE SUPERSEDES ALL PRIOR WRITTEN PROCEDURES ON THIS SPECIFIC SUBJECT.**

## SEGREGATION INFORMATIVE

### INSTRUCTION FOR USE OF THIS FORM:

This form is to be completed by the shift supervisor each time an inmate is moved into Administrative Segregation. The form must be completed before the shift supervisor departs this facility at the end of their shift. The completed form will be placed in the daily folder.

INMATE NAME AND NUMBER: \_\_\_\_\_

TIME AND DATE MOVED TO ADMINISTRATIVE SEGREGATION:

\_\_\_\_\_

REASON FOR MOVE INTO ADMINISTRATIVE SEGREGATION:

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\_\_\_\_\_

PROPERTY INVENTORIED AND SECURED                      YES              NO

IF NO, EXPLAIN: \_\_\_\_\_

\_\_\_\_\_

HAVE DISCIPLINARY CHARGES BEEN WRITTEN              YES              NO

SHIFT SUPERVISOR'S SIGNATURE \_\_\_\_\_

DATE \_\_\_\_\_

DOC 1549 (REV 10/02)

ADMINISTRATIVE SEGREGATION  
NOTICE OF CLASSIFICATION HEARING

THIS NOTICE WILL BE GIVEN AT LEAST FORTY-EIGHT (48) HOURS PRIOR TO THE ADMINISTRATIVE SEGREGATION MEETING.

INMATE'S NAME: \_\_\_\_\_ NUMBER: \_\_\_\_\_ DATE \_\_\_\_\_

FACILITY: \_\_\_\_\_ You have been moved to : \_\_\_\_\_

You will appear before an Administrative Segregation Classification Committee on:

Date	Approximate Time	Location
REASON: _____		
_____		
_____		
_____		

The committee may require the attendance of any staff or inmates with information bearing on the decision to place or retain the inmate in administrative segregation. An inmate subject to this classification may consult with, or be represented by an inmate counsel, only in those instances where the classification committee determines that inmate's psychological or emotional state is so impaired as to make him incapable of understanding, or supporting his participation in the classification hearing.

WITNESS REQUESTED:      (   )   YES                      (   )   NO

NAMES: \_\_\_\_\_

1. In the event that the Committee is concerned with your alleged involvement in an incident for which you could face criminal charges, you have the right to remain silent at the meeting and to know that anything you say at the meeting may be used against you in a criminal prosecution.
2. In addition to the specific reasons for which the meeting is being conducted, the Committee may consider your past and present institutional attitude, adjustment record and criminal record.
3. This Notice is only required at the initial Administrative Segregation Classification Committee Hearing.
4. If the Warden/Designee has reasonable cause to believe that you are an immediate danger to yourself or to others or to the security of the institution, you may place you in Administrative Segregation prior to an Administrative Segregation hearing. In such an event, the meeting will be held within three (3) working days after you are placed in Segregation. This period may be extended by special approval by the Warden. You will be notified, in writing of any such extensions and the reasons.

Date/Time

DOC 2003 (REVISED 10/02)

# ADMINISTRATIVE SEGREGATION CLASSIFICATION RESULTS NOTICE

TO: \_\_\_\_\_ DATE: \_\_\_\_\_  
( INMATE'S NAME AND NUMBER )

INSTITUTION: \_\_\_\_\_

Your request to be classified from Administrative Segregation to the General population has been considered with the following results:

1. \_\_\_\_\_ Your request has been approved.
- \_\_\_\_\_ a. Re-integration can take place now.
- \_\_\_\_\_ b. Re-integration is subject to 60 day plan. (see reverse side)
2. \_\_\_\_\_ Your request has been disapproved based upon the following consideration (s).
- (see reverse side for protracted goals).
- \_\_\_\_\_ a. History of repetitive institutional violence, assaults, fights.
- \_\_\_\_\_ b. Repetitive involvement in controlled substance abuse.
- \_\_\_\_\_ c. Sexually assaultive behavior.
- \_\_\_\_\_ d. Escape or recent attempted escape.
- \_\_\_\_\_ e. Prison gang affiliation.
- \_\_\_\_\_ f. Other.

Explanation of above (required)\_\_\_\_\_

3. \_\_\_\_\_ Your request has been deferred for \_\_\_\_\_ days, for the following reasons (s):

Your next review before the Classification Committee is : \_\_\_\_\_

## ADMINISTRATIVE SEGREGATION

### 60 DAY RE-INTERGRATION PLAN/ LONG RANGE GOALS

Inmate's Name: \_\_\_\_\_ Number: \_\_\_\_\_ Date: \_\_\_\_\_

1. Your request to be classified from Administrative Segregation to the General Population has been approved. This re-integration is subject to the successful completion of a 60-day plan. The objectives and conditions of the 60-day plan are outlined below. If the 60-day plan is not established, see "Protracted Goals"- Section II below.

1. \_\_\_\_\_ The 60-day re-integration plan begins on this date:  
\_\_\_\_\_

2. \_\_\_\_\_ The 60-day re-integration plan ends on this date:  
\_\_\_\_\_

3. \_\_\_\_\_ If the 60-day plan is successfully completed, you will be classified for General Population

on this date: \_\_\_\_\_

4. \_\_\_\_\_ To successfully completed the 60-day plan you must met the following requirements:

a. \_\_\_\_\_

b. \_\_\_\_\_

c. \_\_\_\_\_

d. \_\_\_\_\_

e. \_\_\_\_\_

5. COMMENTS: \_\_\_\_\_

II. PROTRACTED GOALS AND PLANS: \_\_\_\_\_

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ASSOCIATE WARDEN OF OPERATIONS  
Cc: I FILE, C FILE

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ASSOCIATE WARDEN OF PROGRAMS

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